



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

TORTS—RAILROADS—COLLISIONS AT CROSSING—EVIDENCE—CONNOLLY v. N. Y. CEN. & H. R. R. Co., 55 N. Y. Supp. 118.—Plaintiff claimed that decedent was killed by the negligence of a railroad's employees in starting a train over a street railway crossing when the car which decedent was driving was about twenty-five feet from the railroad track. To rebut the charge of negligence and to show contributory negligence on plaintiff's part a contract between the railroad and the street car company, over whose tracks decedent was driving, and requiring street cars to come to a full stop not less than ten feet from the track and the conductor of the car to go on the track to look for approaching trains, was sought to be put in evidence, but was excluded in plaintiff's objecting. *Held*, two judges dissenting, error, since it gives the engineer of the railroad the right to assume that the car would come to a full stop before reaching the track; and this, although defendant offered no evidence to show what connection decedent's company had with the street car company that was party to the contract.

TRADE MARKS—LABOR UNIONS—SMALZ v. WOOLEY ET AL., 41 Atl. 939 (N. J.). Reversing 39 Atl. 539.—Bill to enjoin the use of a trade mark and label imitating and counterfeiting a trade mark and label adopted and filed by the Union Hat Makers' Association of Newark, in accordance with New Jersey statutes. Statute held constitutional and the suit thereon maintainable. The court also held that on general principles the bill was sufficient. The grounds of decision in *Weener v. Brayton*, 152 Mass. 101, 25 N. E. 46, discussed and criticised. The New Jersey court held that it is not necessary that the person or association claiming a trade mark should itself own or sell the articles to which it is applied. Neither is it necessary that the trade mark should indicate the particular person or persons from whom the article to which it is applied gets the quality it marks. For a Kentucky case to the same effect see *Hetterman et al. v. Powers et al.*, 43 S. W. 180, YALE LAW JOURNAL, Vol. VII, 239.

TRUSTEES—COUNTY JUDGES—LIABILITY FOR PRIVATE TRUST FUNDS—ANDERSON ET AL. v. ROBERTS ET AL., 487 S. W. Rep. 847 (Mo.).—A certain fund was directed by a testator to be paid to the judges of the County Court, to be vested in said court as a permanent "fund" for certain charitable uses. *Held*, that the County Court as such was the real trustee, and hence when the judges of said court turned over the fund to the county treasurer they placed the fund in the only proper repository for funds that the County Court had the management of, and had thus fulfilled their duty and were not responsible for the misappropriation by the treasurer. Gautt and Robinson, J. J., dissented on the ground that the County Court, as such, could not be trustee, but only the judges as individuals, and hence the judges were responsible for greater diligence than the mere turning over of the fund to the treasurer.